

REMARKS

This Response is submitted in reply to the Office Action dated August 5, 2008. Claims 6-22 are pending in the present application. Claims 6-19 and 21 have been amended. Claim 22 has been added. Claims 6, 10, and 14 are in independent form. No new matter was introduced as a result of the amendments. Entry of the amendments and favorable reconsideration is respectfully requested. Please charge deposit account 02-1818 for all fees due in connection with this Response.

The Office Action rejected claims 10, 12, and 13 under 35 U.S.C. §102(b) as being anticipated by Garcia-Martin et al. (US Pub. No. 2003/0069934). The Office Action rejected claims 6-9 under 35 U.S.C. §103(a) as being unpatentable over Garcia-Martin et al. in view of Beyda (US Pub. No. 2003/0229722). The Office Action rejected claims 11, 14, and 16-21 under 35 U.S.C. §103(a) as being unpatentable over Garcia-Martin et al. in view of Michael et al. (US Pub. No. 2003/0226143). In light of the amendments made herein, Applicant respectfully disagrees with, and traverses, such rejections.

The Office Action states that Garcia-Martin discloses “the interface responds to the request of the distribution device for the status of the network access of the subscriber (Page 3, paragraph 0049).” Garcia-Martin discloses that IM&P services are limited to internet capable devices with internet connections (paragraph [0010]). Further, Garcia-Martin discloses that IMPA is an agent which acts on behalf of GSTN users and registers a presence (using a packet based network as required) on the IM&P server (paragraphs [0040], [0045]). Accordingly, any request for a subscriber’s status to the IM&P server is only requesting packet based network access status (see paragraphs [0048] and [0049]). Indeed, under the disclosure of Garcia-Martin, “Normal Internet users do not know whether a remote user is registered to the IM&P server via the internet or via a fixed or mobile phone.” (paragraph [0011]) Therefore, Garcia-Martin fails to disclose, teach, or suggest the limitation of “request[ing] ... the status of the subscriber ... including a packet switched network access status and a circuit switched network access status” as currently recited in independent claim 6, and similarly recited in independent claims 10 and 14. Furthermore, Beyda and Michael do nothing to supplement Garcia-Martin with respect to disclosing, teaching, or suggesting “request[ing] ... the status of the subscriber ... including a packet switched network access status and a circuit switched network access status” as currently recited in independent claim 6, and similarly recited in independent claims 10 and 14.

Accordingly, Garcia-Martin, alone or in combination with Beyda or Michael, does not disclose, teach, or suggest all of the limitations of independent claims 6, 10, and 14 as currently claimed. All of the other pending claims depend from independent claims 6, 10, and 14. Therefore, Applicant asserts that dependent claims 7-9, 11-13, and 15-22 are now in condition for allowance.

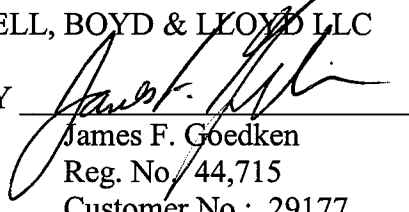
For all the reasons provided above, Applicant submits that all of the claims are in condition for allowance. An earnest endeavor has been made to place this application in condition for formal allowance and such action is courteously solicited. If the Examiner has any questions regarding this Response, applicant respectfully requests that the Examiner contact the undersigned.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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BY


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Dated: November 3, 2008